

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ARISTEDE MICHAEL JOHNSON,

Defendant.

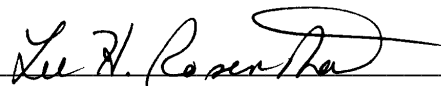
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CRIMINAL NO. H-96-176-01

ORDER

The defendant, Aristede Michael Johnson, was convicted after a jury trial of conspiring to rob a credit union on two occasions in 1996 and using or carrying a firearm during the commission of the robberies. He was sentenced to a cumulative term of 370 months. Johnson's appeal was unsuccessful and in 2001, his motion under 28 U.S.C. § 2255 was denied. In January 2010, Johnson filed a document entitled a "Petition to Strike," in which he cites Rules of Civil Procedure to assert a lack of subject matter jurisdiction. (Docket Entry No. 154). Johnson cites as support that the United States Congress "unilaterally declared Bankruptcy in 1933." Johnson's "petition" is frivolous and is denied.

SIGNED on February 16, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge